

REQUEST FOR COUNCIL ACTION

MEETING

DATE: 06-16-03

159-

AGENDA SECTION:
PUBLIC HEARINGS**ORIGINATING DEPT:**
PLANNING**ITEM NO.**

E-8

ITEM DESCRIPTION: Annexation Petition #03-16 by Ernest Morris to annex approximately 39.7 acres of land located north of 16th Avenue NE and Northwood Hills Second Subdivision. The property is located in a part of the NE ¼ of the NE ¼ Section 24, Cascade Township.**PREPARED BY:**
Brent Svenby,
Planner

June 9, 2003

City Planning and Zoning Commission Recommendation:

The City Planning and Zoning Commission reviewed this annexation request on May 28, 2003. The Commission found that this property is adjacent to the City limits and can be served by city services upon extension of sanitary sewer and water lines from their present ends. The Planning Commission therefore recommends approval of this request.

Ms. Petersson moved to recommend approval of Annexation Petition #03-16 by Ernest Morris as recommended by staff. Mr. Quinn seconded the motion. The motion carried 9-0.

Planning Department Recommendation:

See attached staff report, dated May 19, 2003.

Minnesota Statutes now specify that the property taxes payable in the year an annexation is effective shall be paid to the Township. For the five years following the annexation, the City must make a cash payment to the Township equaling 90%, 70%, 50%, 30% and 10% of the Townships share of the taxes in the year the property was annexed. The Township Taxes on this property for 2003 is \$21.47.

Council Action Needed:

1. Following the public hearing, if the Council wishes to proceed as petitioned, it should instruct the City Attorney to prepare an ordinance to be adopted and transmitted to the MN Planning /Office of Strategic and Long Range Planning.

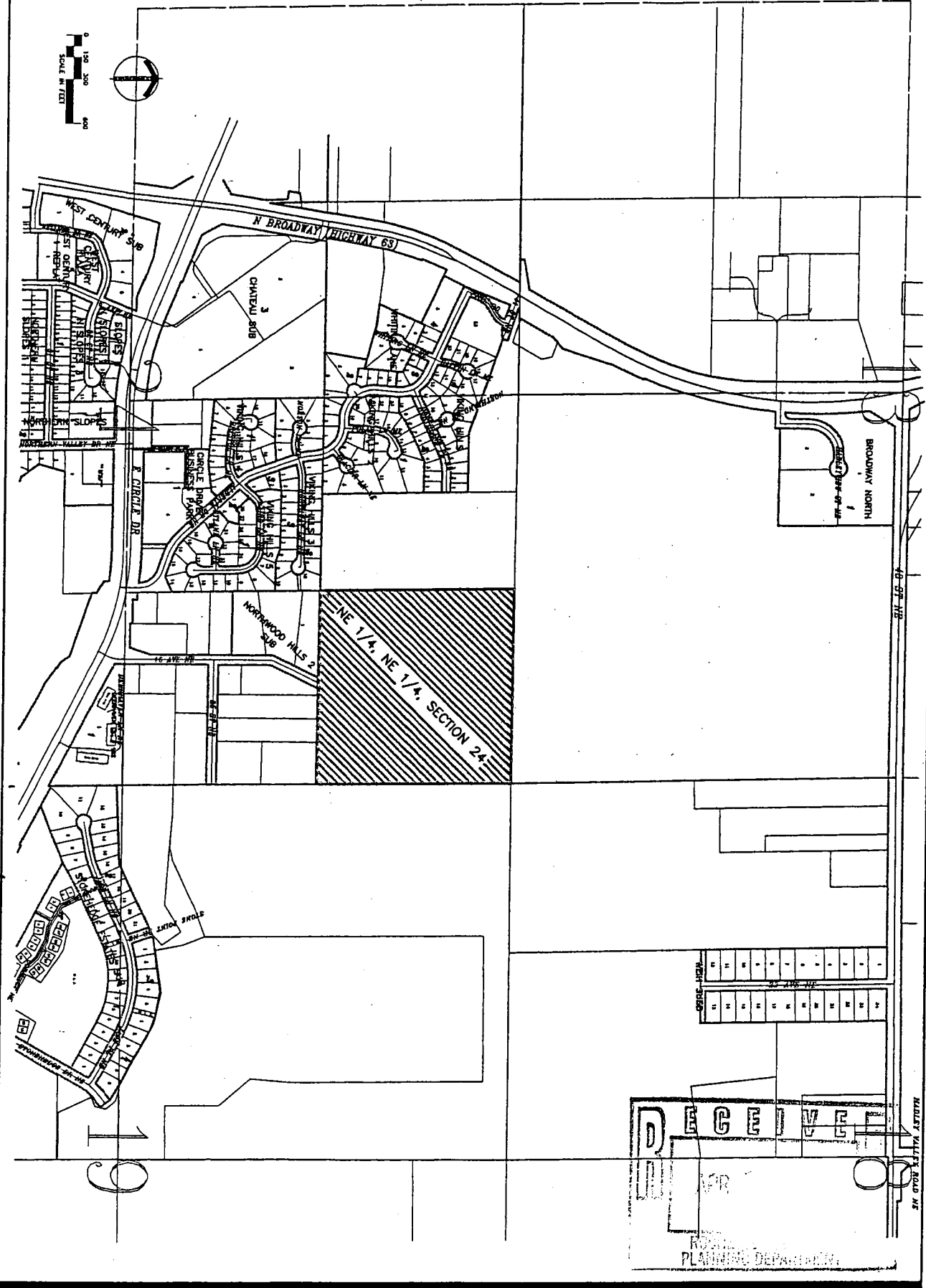
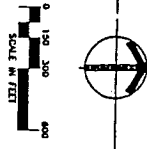
Attachments

1. Staff report, dated May 19, 2003.
2. Draft copy of the minutes of the May 28, 2003, CPZC meeting

Distribution:

1. City Administrator
2. City Clerk
3. City Attorney: Legal Description Attached
4. City Finance Director: Tax Information Attached
5. Planning Department File
6. Applicant: This item will be considered sometime after 7:00 p.m. on Monday, June 16, 2003 in the Council Chambers at the Rochester / Olmsted County Government Center.
7. Yaggy Colby Associates

COUNCIL ACTION: Motion by: _____ Second by: _____ to: _____



ERNEST MORRIS PROPERTY
ROCHESTER, MINNESOTA
ANNEXATION MAP

YAGGY COLBY ASSOCIATES

ENGINEERS • ARCHITECTS
LANDSCAPE ARCHITECTS
212 THIRD AVENUE, SUITE 100
ROCHESTER, MINNESOTA 55901
TEL: 781-333-1100
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ROCHESTER-OLMSTED
PLANNING DEPARTMENT
2122 CAMPUS DR SE

ROCHESTER MN 55904-4744

ADMINISTRATION/ PLANNING 507/285-8232

GIS/ADDRESSING/ MAPPING 507/285-8232

HOUSING/HRA 507/285-8224

BUILDING CODE 507/285-8213

WELL/SEPTIC 507/285-8345

FAX 507/287-2275

TO: City Planning and Zoning Commission

FROM: Theresa Fogarty, Planner

DATE: May 19, 2003

RE: Annexation Petition #03-16 by Ernest Morris to annex approximately 39.7 acres of land located north of 16th Avenue NE and Northwood Hills Second Subdivision. The property is located in a part of the NE ¼ of the NE ¼ Section 24, Cascade Township

Planning Department Review:

Applicants/Owners:

Ernest H. Morris
P.O. Box 121
Zumbro Falls, MN 55991

Architect/Engineer:

Yaggy Colby Associates
717 Third Avenue SE
Rochester, MN 55904

Existing Land Use:

This property is currently undeveloped land.

Existing Zoning:

The property is zoned A-4 (Agricultural Urban Expansion) District on the Olmsted County zoning map.

Future Zoning:

Upon annexation, the property will be zoned R-1 (Mixed Single Family Residential) district on the Rochester Zoning Map.

Land Use Plan:

This property is designated for "low density residential" uses on the Rochester Urban Service Area Land Use Plan.

Adjacency to the Municipal Limits:

The property is adjacent to the city limits along its Eastern boundary.

Sewer & Water:

This area is partially within the Northeast Intermediate Level Water System, which is available both at the east end of Northway Lane NE and at the intersection of 16th Avenue NE and East Circle Drive NE and partially within the Northeast High Level Water System Area, which is available to the SE within Stonehedge Development.

Municipal sewer and water are not currently available, but can be extended to serve this property.



Utilities:

Pursuant to Minnesota Statutes 414.033 (subd. 13), a municipality must notify a petitioner that the cost of electric utility service may change if the land is annexed to the municipality. A notice has been provided to the applicant.

Townboard Review:

Minnesota State Statutes require that the Townboard members receive a written notice, by certified mail, 30 days prior to the public hearing. The City Council will hold a public hearing on this item on Monday, June 16, 2003. The City Clerk has sent the certified 30 day notice.

Referral Comments:

No referral comments attached.

Report Attachments:

1. Annexation Map / Location Map

Staff Recommendation:

This property is adjacent to the City limits and can be served by city water services upon extension of the water lines from their present ends. The Planning staff recommends that the City proceed to adopt an ordinance annexing the property according to Minnesota Statutes 414.033, Subdivision 2(3).

recommended by staff. Mr. Quinn seconded the motion. The motion carried 9-0.

Mr. Staver stated that an additional water tower would be required if the area would be developed further to the northeast. He asked if this had been changed to alleviate the problem of water and utilities.

Mr. Svenby stated that the area is probably being serviced from the water tower that was constructed in the Stonehedge Development.

*** Annexation Petition #03-16 by Ernest Morris to annex approximately 39.7 acres of land located north of 16th Avenue NE and Northern Hills Second Subdivision. The property is located in a part of the NE ¼ of the NE ¼ Section 24, Cascade Township.**

Mr. Brent Svenby presented the staff report, dated May 19, 2003, to the Commission. The staff report is on file at the Rochester-Olmsted Planning Department.

Ms. Petersson moved to approve Annexation Petition #03-16 by Ernest Morris as recommended by staff. Mr. Quinn seconded the motion. The motion carried 9-0.

PUBLIC HEARINGS:

Type III, Phase II Special District Amendment Final Site Development Plan #03-03 by Elton Hills Plaza West LLC to allow the construction of a car wash and service building. The property is located within the 41st Street Business Park and is zoned SD-1 (The Arboretum Special District). The property is located north of 41st Street NW and west of 31st Avenue NW and is platted as Lot 1, Block 1 41st Street Business Park.

Ms. Wiesner passed the gavel to Mr. Quinn and she stated she would abstain from the hearing.

Mr. Brent Svenby presented the staff report, dated May 22, 2003, to the Commission. The staff report is on file at the Rochester-Olmsted Planning Department.

Mr. Jeff Brown, of 1434 Salem Lane SW, Rochester, MN, addressed the Commission. He stated that the applicant is in agreement with the recommendations by staff.

With no one else wishing to be heard, Mr. Quinn closed the public hearing.

Mr. Haeussinger moved to approve Type III, Phase II Special District Amendment Final Site Development Plan #03-03 by Elton Hills Plaza West LLC, with staff-recommended findings and conditions. Ms. Petersson seconded the motion. The motion carried 8-0, with Ms. Wiesner abstaining.

CONDITIONS:

1. The applicant shall provide the additional plans and revisions as listed above at least two weeks prior to scheduling this item for a public hearing with the City Council.
2. An approved grading/drainage plan is required prior to development of the property. A Storm Water Management fee will apply for the benefit of participation

